

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION**

S.H., et al.,

Plaintiff,

v.

No: 2:23-cv-00071-TRM-JEM

CITY OF JOHNSON CITY, TENNESSEE,

Defendant.

_____ /

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
MOTION FOR PRELIMINARY APPROVAL AND MOTION TO STAY**

COMES NOW Plaintiff S.H., individually and as a proposed class representative (“Plaintiff”), through her undersigned counsel, to request an extension of time to file a motion for preliminary approval of the class action settlement between Plaintiff and Defendant City of Johnson City (“City”) (collectively, “the Parties”), which will resolve the remaining claims in this matter. Plaintiff also requests the Court stay all other deadlines pending the settlement approval process.

On March 4, 2025, the Court set a deadline of March 24, 2025 by which the parties are to file a motion for preliminary approval. ECF 506. In that order, the Court stated the parties may seek an extension of this deadline for good cause. For the reasons described herein, Plaintiff hereby respectfully requests the March 24, 2025 deadline be continued six weeks to May 5, 2025. Counsel for the parties have met and conferred and the City consents to this extension. Declaration of Julie C. Erickson (“Erickson Decl.”), ¶ 3.

The Parties mediated this case on December 9, 2024. Erickson Decl., ¶ 4. While the Parties made significant progress that day, they did not reach an agreement. The Parties continued their negotiations over the next two months, finally executing a term sheet on

February 13, 2025. *Id.* On February 13, 2025, the City Commission for the City of Johnson City voted unanimously in favor of the proposed settlement, understanding that ultimate approval authority is vested with the Court. *Id.* at ¶ 5. Following the Commission's approval, counsel for Plaintiff began drafting the settlement agreement, which they provided to counsel for the City on March 11, 2025. *Id.* at ¶ 6. Based on their experience, Plaintiff's counsel anticipates multiple rounds of drafts will need to be exchanged prior to finalizing the settlement agreement. *Id.* Various other documents must also be drafted and negotiated, including the class notice, distribution plan, and proposed preliminary and final orders. *Id.* at ¶ 7. As the specific terms of the settlement agreement and these other documents will inform the content of a future motion for preliminary approval, that motion cannot be fully drafted until after the settlement documents have been finalized. *Id.*

Given the scope of the remaining work and the complexities of this litigation, the requested six-week extension is reasonable and appropriate. Erickson Decl., ¶ 8.

The request should also be granted as there is no evidence of delay by the Parties or their counsel. To the contrary, Plaintiff and her counsel have advanced this litigation at a rapid pace and, indeed, have a duty to seek court approval of the settlement (and secure payment to settlement class members) as expeditiously as possible. Erickson Decl., ¶ 9.

For the reasons stated above, good cause exists and the Court should grant Plaintiff's request for more time to move for preliminary approval and stay all other deadlines pending the settlement approval process.

Respectfully submitted,

Date: March 17, 2025

/s/ Julie C. Erickson

Julie C. Erickson (California Bar # 293111)
Elizabeth A. Kramer (California Bar # 293129)
Kevin M. Osborne (California Bar #261367)

Pro Hac Vice

Erickson Kramer Osborne LLP

44 Tehama St.

San Francisco, CA 94105

415-635-0631

julie@eko.law

elizabeth@eko.law

kevin@eko.law

/s/ Heather Moore Collins

Heather Moore Collins (# 026099)
Ashley Shoemaker Walter (#037651)
HMC Civil Rights Law, PLLC
7000 Executive Center Dr., Suite 320
Brentwood, TN 37027
615-724-1996
615-691-7019 FAX
heather@hmccivilrights.com
ashley@hmccivilrights.com

/s/ Vanessa Baehr-Jones

Vanessa Baehr-Jones CABN # 281715
Pro Hac Vice
Advocates for Survivors of Abuse PC
4200 Park Boulevard No. 413
Oakland, CA 94602
510-500-9634
vanessa@advocatesforsurvivors.com

Attorneys for Plaintiff and the Proposed Class

CERTIFICATE OF SERVICE

I HEREBY certify that a copy of the foregoing has been filed and served via the court's electronic filing system on March 17, 2025 to counsel of record:

K. Erickson Herrin
HERRIN, McPEAK & ASSOCIATES
515 East Unaka Avenue
P. O. Box 629
Johnson City, TN 37605-0629
erick@hbm-lawfirm.com
rachel@hbm-lawfirm.com

Emily C. Taylor
Maria Ashburn
WATSON, ROACH, BATSON &
LAUDERBACK, P.L.C.
P.O. Box 131
Knoxville, TN 37901-0131
etaylor@watsonroach.com
mashburn@watsonroach.com

Attorneys to Defendant Johnson City, Tennessee

Jonathan P. Lakey
Burch, Porter, & Johnson, PLLC
130 N. Court Ave.
Memphis, TN 38103
901-524-5000
jlakey@bpjlaw.com
mchrisman@bpjlaw.com

Attorney to Defendant City of Johnson City, Tennessee

/s/ Julie C. Erickson
Julie C. Erickson